IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

WP(C).No. 29637 of 2006(C)

PETITIONER:

K.SASIDHARAN, PRESIDENT,
URUKUNNU RURAL CO-OP. SOCIETY LTD. NO. Q. 1468,
URUKUNNU, KOLLAM.

BY ADV. SRI.T.R.RAMACHANDRAN NAIR
SRI.V.G.ARUN

RESPONDENTS:
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1. THE JOINT REGISTRAR OF CO-OP. SOCIETIES
(GENERAL), KOLLAM.

2. THE ASSISTANT REGISTRAR OF CO-OP.
SOCIETIES (GENERAL), PUNALUR.

BY G.P.SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. Thankappan, J.

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W.P.(C). No. 29637 of 2006

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Dated this the 10th day of November, 2006

JUDGMENT

Petitioner, who is the President of the Urukunnu Rural Co-operative Society Ltd. No. Q 1468, has approached this Court for a direction, among other things, to the respondents to allow the present managing committee of the society to continue in office and also for a direction to the respondents to appoint a Returning Officer to conduct election as requested for in Ext.P8 letter.

2. Learned counsel for the petitioner submits that even though this Court directed the 1st respondent to consider the request for extension of the term of the present committee by another three months and also to appoint the Returning Officer, the 1st respondent by Ext.P10 order rejected the request to extend the period of the committee. The learned counsel also submits that the Returning Officer was not appointed. The learned counsel also submits that Ext.P10 order passed by the 1st respondent is not sustainable under the provision under section 28(1) of the Kerala Co-operative Societies Act, 1969. It is also submitted that as per Ext.P6 order the society will get only 14 days to conduct the election. Hence, Ext.P10 may be quashed and a direction may be issued to the 1st respondent t to

consider the matter afresh on the basis of the present application filed by the petitioner. There is no prohibition for extending the period of the promoting committee for more than three months.

3. In the facts and circumstances of the case, Ext.P10 order is quashed and the 1st respondent is directed to pass appropriate orders allowing the present managing committee to continue in office, as requested by Exts.P7 and P8. The respondents shall also see that the Returning Officer is appointed within the extended time.

The writ petition is disposed of as above.

K.Thankappan,
Judge.

mn.

K. Thankappan,J.

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W.P.(C) No. /2006

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Judgment

10-11-2006